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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 MARIEM KLDS,

12 Plaintiff,

13 vs.

14 LEGAL RECOVERY LAW
15 OFFICES; ANDREW RUNDQUIST;
and Does 1 through 10,

16 Defendants.

CASE NO. 13-CV-97 WQH
(BGS)

ORDER

17 HAYES, Judge:

18 The matter before the Court is Plaintiff's Ex Parte Motion to File Second
19 Amended Complaint ("Motion for Leave to File SAC"). (ECF No. 13).

BACKGROUND

20 On January 14, 2013, Plaintiff Mariem Klds filed a Complaint against
21 Defendants Legal Recovery Law Offices, Andrew Rundquist and Does 1-10
22 ("Defendants"). (ECF No. 1).

23 On January 28, 2013, Plaintiff filed the First Amended Complaint against
24 Defendants, alleging violations of the Fair Debt Collection Practices Act ("FDCPA")
25 (15 U.S.C. § 1692, *et seq.*) and the California Rosenthal FDCPA (Cal. Civ. Code §§
26 1788-1788.32). (ECF No. 6).

27 On April 16, 2013, Plaintiff filed the Motion for Leave to File SAC. (ECF No.
28 13). Plaintiff requests leave to amend in order "to bring all the known claims and

1 parties into this action so that the litigation can proceed expeditiously to resolve all the
 2 issues between the part[ies].” *Id.* at 4. On April 30, 2013, Defendants filed an
 3 opposition, in which they contend that leave should be denied because Plaintiff did not
 4 file a proposed second amended complaint or identify the claims and/or parties she
 5 seeks to add. (ECF No. 18).

6 DISCUSSION


7 Rule 15 of the Federal Rules of Civil Procedure mandates that leave to amend
 8 “be freely given when justice so requires.” Fed. R. Civ. P. 15(a). While “[t]his policy
 9 is to be applied with extreme liberality,” *Eminence Capital, LLC v. Aspeon, Inc.*, 316
 10 F.3d 1048, 1051 (9th Cir. 2003), Federal Rule of Civil Procedure 7 provides that any
 11 motion requesting a court order “must ... state with particularity the grounds for seeking
 12 the order...” Fed. R. Civ. P. 7(b)(1)(B).

13 Plaintiff did not attach a proposed second amended complaint to her motion, and
 14 there is no federal or local rule of civil procedure requiring that she do so. *See* Fed. R.
 15 Civ. P. 15(a); S.D. Cal. Civ. L.R. 15.1; *see also* *Stone v. Advance Am.*, 08-CV-1549-
 16 WQH(WMC), 2009 WL 2242350, at *3 (S.D. Cal. July 24, 2009). However, Plaintiff
 17 has not identified any party, claim or allegation that she seeks to add to her complaint.
 18 The Court concludes that Plaintiff has failed to “state with particularity the ground for
 19 seeking” leave to amend. Fed. R. Civ. P. 7(b)(1)(B). Plaintiff’s request for leave to
 20 amend is denied.

21 CONCLUSION

22 IT IS HEREBY ORDERED that the Motion for Leave to File SAC (ECF No. 13)
 23 is DENIED with leave to refile no later than fifteen (15) days from the date of this
 24 Order.

25 DATED: May 22, 2013

26 
 27 WILLIAM Q. HAYES
 28 United States District Judge